



STATE OF UTAH
NATURAL RESOURCES
Oil, Gas & Mining

ACT/015/032
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December 9, 1986

Mr. William H. Geer, Director
Division of Wildlife Resources
1596 West North Temple
Salt Lake City, Utah 84116

Dear Mr. Geer:

The Division of Oil, Gas and Mining (DOGM) is in receipt of letters from your office dated November 4 and November 20, 1986 regarding comments that the Division of Wildlife Resources (DWR) had raised in review of Mining and Reclamation Plans (MRP) for Genwal's Crandall Canyon Mine and Soldier Creek Coal Company's Soldier Canyon Mine respectively.

The purpose of this correspondence is to clarify the Memorandum of Understanding (MOU) between DOGM and DWR and to avoid further misunderstandings regarding mine plan review.

The MOU calls for DWR to evaluate MRPs for adequacy of the Fish and Wildlife Plan and mitigation of impacts of the proposed operation to wildlife resources. Comments which are received from DWR in review of these areas, which are within the jurisdiction of DOGM to require, are passed on to mine operators for incorporation into the MRP. Comments received from DWR sometimes fall outside of the scope of the MOU, and sometimes address concerns outside of the specific requirements of the mining regulations and DOGM's jurisdiction.

When comments from DWR on areas of the MRP other than the Fish and Wildlife Plan and Wildlife Mitigation plans are included, however they will be reviewed by DOGM and may be, but are not necessarily always, passed along to the operator. Comments regarding areas outside DOGM's jurisdiction, such as requests for off-site mitigation, may be recommended to operators, but cannot be required by law.

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Hopefully this will clarify to you DOGM's position on the existing MOU between our agencies. If DWR has particular concerns with regard to the MOU, or to the review of any particular MRP, please feel free to call me or, Permit Supervisors, John Whitehead or Susan Linner, at any time.

Sincerely,

L. P. Braxton

L. P. Braxton
Administrator
Mineral Resource Development
and Reclamation Program

SCL:jvb
cc: L. Dalton
S. Linner
J. Whitehead
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